

**ALASKA STATE LEGISLATURE
SENATE LABOR AND COMMERCE STANDING COMMITTEE**

February 10, 2021

1:59 p.m.

MEMBERS PRESENT

Senator Mia Costello, Chair
Senator Roger Holland, Vice Chair
Senator Joshua Revak
Senator Gary Stevens
Senator Elvi Gray-Jackson

MEMBERS ABSENT

All members present.

COMMITTEE CALENDAR

SENATE BILL NO. 56

"An Act extending the January 15, 2021, governor's declaration of a public health disaster emergency in response to the novel coronavirus disease (COVID-19) pandemic; providing for a financing plan; making temporary changes to state law in response to the COVID-19 outbreak in the following areas: occupational and professional licensing, practice, and billing; telehealth; fingerprinting requirements for health care providers; charitable gaming and online ticket sales; access to federal stabilization funds; wills; unfair or deceptive trade practices; and meetings of shareholders; and providing for an effective date."

- MOVED CSSB 56(L&C) OUT OF COMMITTEE

SENATE BILL NO. 69

"An Act extending an exemption from regulation as a public utility for plants and facilities generating electricity entirely from renewable energy resources; and providing for an effective date."

- BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: SB 56

SHORT TITLE: EXTENDING COVID 19 DISASTER EMERGENCY
SPONSOR(s): RULES BY REQUEST OF THE GOVERNOR

01/25/21	(S)	READ THE FIRST TIME - REFERRALS
01/25/21	(S)	HSS, L&C, FIN
02/02/21	(S)	HSS AT 1:30 PM BUTROVICH 205
02/02/21	(S)	Heard & Held
02/02/21	(S)	MINUTE(HSS)
02/04/21	(S)	HSS AT 1:30 PM BUTROVICH 205
02/04/21	(S)	Heard & Held
02/04/21	(S)	MINUTE(HSS)
02/08/21	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/08/21	(S)	Scheduled but Not Heard
02/09/21	(S)	HSS AT 1:30 PM BUTROVICH 205
02/09/21	(S)	Moved CSSB 56(HSS) Out of Committee
02/09/21	(S)	MINUTE(HSS)
02/10/21	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

ADAM CRUM, Commissioner
Department of Health and Social Services
Juneau, Alaska

POSITION STATEMENT: Presented SB 56 on behalf of the administration.

BRYAN FISHER, Operations Manager
Department of Military & Veterans Affairs
Anchorage, Alaska

POSITION STATEMENT: Answered questions related to SB 56.

COLLEEN GLOVER, Director
Tax Division
Department of Revenue
Anchorage, Alaska

POSITION STATEMENT: Answered questions related to SB 56.

KATIE BOTZ, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 56.

ADAM HYKEF, representing self
Homer, Alaska

POSITION STATEMENT: Testified in opposition to SB 56.

VALERIE MCKAY, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 56.

JILL MCLEOD, attorney representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 56 and suggested an amendment.

BONNIE PASKVAN, attorney representing self
Anchorage, Alaska

POSITION STATEMENT: Echoed Ms. McLeod's testimony on SB 56.

EDWARD D. MARTIN JR., representing self
Cooper Landing, Alaska

POSITION STATEMENT: Testified in opposition to SB 56

VIKKI JO KENNEDY, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 56

HERMAN MORGAN, representing self
Rural Alaska

POSITION STATEMENT: Testified in opposition to SB 56

ALLEN TODD, General Counsel
Doyon, Limited
Fairbanks, Alaska

POSITION STATEMENT: Suggested an amendment to SB 56 to accommodate online shareholder meetings.

MIKE COONS, Matsu Chapter
Association of Mature. American/Alaskan Citizens (AMAC) Action.
Eagle River, Alaska

POSITION STATEMENT: Testified on SB 56 to advocate for seniors.

KATIE MCCALL, Staff
Senator Mia Costello
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Introduced Amendments 1 and 2 for SB 56.

ANDREW DUNMIRE, Drafting Attorney
Legislative Legal Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Provided information related to Amendment 2 for SB 56.

ACTION NARRATIVE

[1:59:36 PM](#)

CHAIR MIA COSTELLO called the Senate Labor and Commerce Standing Committee meeting to order at 1:59 p.m. Present at call to order were Senators Revak, Holland, Gray-Jackson, and Chair Costello. Senator Stevens arrived immediately thereafter.

SB 56-EXTENDING COVID 19 DISASTER EMERGENCY

[2:00:17 PM](#)

CHAIR COSTELLO announced the consideration of SENATE BILL NO. 56, "An Act extending the January 15, 2021, governor's declaration of a public health disaster emergency in response to the novel coronavirus disease (COVID-19) pandemic; providing for a financing plan; making temporary changes to state law in response to the COVID-19 outbreak in the following areas: occupational and professional licensing, practice, and billing; telehealth; fingerprinting requirements for health care providers; charitable gaming and online ticket sales; access to federal stabilization funds; wills; unfair or deceptive trade practices; and meetings of shareholders; and providing for an effective date."

[CSSB 56(HSS) was before the committee.]

She listed the individuals available to testify.

[2:01:19 PM](#)

SENATOR STEVENS joined the committee.

[2:01:55 PM](#)

ADAM CRUM, Commissioner, Department of Health and Social Services, Juneau, Alaska, stated that he would walk through SB 56, provide a summary of changes made in the Senate Health and Social Services Committee, and provide an overview of why the extension is necessary.

COMMISSIONER CRUM related that on January 15, 2021 Governor Dunleavy issued a public health emergency declaration, to ensure continued support of the state's public health response to the COVID-19 public health emergency. SB 56 proposes 1) to extend the public health emergency disaster declaration to March 15, 2021; 2) to extend the authority of certain boards to continue to use curtesy licenses; 3) to continue the expanded flexibility

of telehealth authority in Alaska; 4) to continue expedited fingerprinting process between agencies to expedite licensing; 5) to continue to allow shareholder and nonprofit meetings to be held electronically; and 6) to continue to allow certain online charitable gaming activities.

COMMISSIONER CRUM described the four amendments to SB 56 that the Senate Health and Social Services Standing Committee adopted. The first amendment changed the extension to March 15, 2021. The second amendment added an immunity provision for liability for actions taken or not taken during a gap between February 14, 2021 and enactment of a bill pertaining to health orders. The third amendment added a provision that requires a signed, informed consent form for the administration of the COVID-19 vaccine. The fourth amendment added a provision that allows an individual to refuse a vaccine based on religious, medical, or other grounds.

[2:04:57 PM](#)

COMMISSIONER CRUM said the administration introduced SB 56 to ensure the state's ability to use the tools and authorities under the Alaska Declaration Act. Namely, AS 26.23.020(g)(10) allows the allocation and distribution of the vaccine. He listed the following additional authorities: suspension and waiver of regulations and statutes that may prevent or impede action necessary to respond; emergency procurement and contracting; hiring emergency personnel to support response efforts; transferring state personnel to facilitate the response; making use of temporary housing; general immunity of first responders; allocation of scarce resources; assisting local government with needed services; and establishing alternative care sites. He clarified that in Alaska the only access to the foregoing powers was through AS 26.

[2:06:43 PM](#)

CHAIR COSTELLO asked why an additional method of emergency procurement was needed when existing state statute already allows for emergency procurement.

COMMISSIONER CRUM deferred the question to the Department of Administration.

CHAIR COSTELLO informed the committee that Bryan Fisher, the operations manager with the Department of Military & Veterans Affairs, was online.

COMMISSIONER CRUM suggested that Mr. Fisher might be able to answer the question.

2:07:48 PM

BRYAN FISHER, Operations Manager, Department of Military & Veterans Affairs, Anchorage, Alaska, related he was also the incident commander for the COVID-19 unified command for the state. He said he would review the procurement code and follow up with an answer.

CHAIR COSTELLO suggested he search under "emergency procurement" to see that a previous legislature had contemplated emergency powers of procurement. She also asked if the governor needed this legislation to dispatch the National Guard. She offered her understanding the governor was the head of the National Guard and could call on it at any time.

MR. FISHER said the Department of Law has advised that while Art. III, Sec. 19 of the Alaska Constitution clearly states that the governor is commander in chief of the National Guard, there are specific provisions in AS 26.05.070 and AS 26.23.020(f) that give the governor specific authority to call the National Guard to active state service under the definitions of the Disaster Act.

CHAIR COSTELLO asked if he was saying that the Alaska Constitution does not give the governor adequate authority and the disaster statutes provide additional powers.

MR. FISHER answered yes; the constitution says the governor can call out the National Guard, but it does not explicitly say that there are statutes that speak specifically to calling them out for disasters.

2:10:10 PM

SENATOR STEVENS commented that he seemed to be saying that the constitution does not give the governor the needed authority whereas SB 56 gives that authority.

MR. FISHER replied the Department of Law issued that opinion.

CHAIR COSTELLO asked for the opinion in writing.

She offered her understanding that a disaster declaration was useful for the executive branch to suspend temporarily regulations and statutes, but questioned why the legislature

should support waiving competency examinations for teachers. She asked if someone could respond to that question.

2:12:54 PM

COMMISSIONER CRUM answered that the authorities authorized under the Alaska Disaster Act (ADA) allowed Alaska to respond quickly to the COVID-19 health emergency. This kept case numbers, death rates, and hospitalizations lower than states that were slower to act. The ADA provides the authority for emergency procurement followed by a competitive bid process for long-term contracts instead of the 30 day to 6-month process outlined for DHSS in AS 36.30.110 and AS 36.30.210. He said this emergency procurement process is what separated Alaska from other states to enable a quick response to COVID-19.

Additionally, the ADA allows the state to allocate scarce resources such as the antiviral medication called remdesivir that is used in a hospital setting and the two monoclonal antibodies that are used in outpatient settings to treat COVID-19 within the first 10 days of diagnosis.

COMMISSIONER CRUM stated that AS 26.23.020 grants DHSS the authority to allocate scarce resources, rapidly engage in contracts to respond to new outbreaks, and continue testing and sequencing of positive specimens. Sequencing positive specimens is critical to identifying when the variants enter Alaska so that the state can notify Alaskans and respond appropriately.

COMMISSIONER CRUM restated the arguments that support extending the January 15, 2021 public health emergency declaration and asked the committee to support the bill to give the administration the authorities and tools to progress into the recovery stage of this historic public health incident.

2:17:30 PM

CHAIR COSTELLO directed attention to page 9, line 14 through page 10, line 5, that talks about online charitable gaming. She said she was not discounting the value of these activities, but she questioned putting it in the disaster declaration. She asked Colleen Glover to respond.

2:18:43 PM

COLLEEN GLOVER, Director, Tax Division, Department of Revenue, Anchorage, Alaska, explained that online gaming was included in the disaster declaration because current statutes do not allow those activities to be conducted online. The public events where the raffles traditionally are held were shut down due to the

COVID-19 health emergency, which was a financial blow to the charitable recipients of these proceeds.

CHAIR COSTELLO asked for a list of charitable gaming operations in Alaska so the committee could see who would benefit by the extension of the disaster declaration.

MS. GLOVER replied there are roughly 1,100 permittees but she could sort the data to include just those that conduct raffles.

CHAIR COSTELLO said she was looking for a list of who would benefit if the bill were to pass.

MS. GLOVER said she could send the information today.

SENATOR STEVENS asked the administration to clarify for the public that the provisions in this bill to extend the emergency health declaration have nothing to do with what individual communities throughout the state have done to combat the spread of COVID-19. SB 56 does not speak to restaurant and other business closures or mask mandates; those are community decisions.

COMMISSIONER CRUM stated that SB 56 is mutually exclusive from the powers and abilities of Home Rule and other communities that are able to protect their citizens as they see fit through emergency orders or assembly powers into their mayor.

SENATOR STEVENS asked if anything in SB 56 closes restaurants or demands people wear masks in Kodiak.

COMMISSIONER CRUM answered no. He said the state initially imposed restrictions that affected businesses but it has not restricted Alaska businesses since May.

2:23:49 PM

SENATOR STEVENS thanked him for clarifying that SB 56 has nothing to do with what communities have done within their powers to respond to the COVID-19 health emergency. He expressed hope that people could see the difference.

CHAIR COSTELLO asked him to state specifically whether passing the bill would have a positive effect on the state's ability to receive federal funds and not passing it would have a negative effect on the ability to receive federal funds.

COMMISSIONER CRUM advised that Alaska would continue to receive FEMA funds with or without SB 56 because of the federal major disaster declaration. The state will also continue to receive the 6.2 percent [Federal Medical Assistance Percentage (FMAP)] for the state Medicaid program because of the federal public health emergency issued by the US Health and Human Services. The ability to receive those funds is not tied to the state disaster declaration.

However, if Alaska does not have a state disaster declaration in place in March, it will lose \$8 million per month in emergency allotment (EU) funds for the Supplemental Nutrition Assistance Program (SNAP). The state typically administers \$15 million per month for the federal government in SNAP benefits. Under the ongoing COVID response and an Act of Congress, the state receives an addition \$8 million each month. The state is asking for a waiver, but it is those additional funds that will be lost if there is no state disaster declaration in March.

CHAIR COSTELLO asked him to confirm that the state disaster declaration is not tied to the 6.2 percent [Federal Medical Assistance Percentage (FMAP) for Medicaid].

COMMISSIONER CRUM said that is correct.

2:27:11 PM

CHAIR COSTELLO asked if the \$8 million in emergency allotment funds for SNAP would be forthcoming if the state receives the waiver it is requesting.

COMMISSIONER CRUM replied there is no precedent for such a waiver but the administration is talking to the USDA Food and Nutrition Service (FNS). As of Monday, that agency said a state disaster declaration must be in place.

CHAIR COSTELLO commented on the seeming benefit of a waiver and asked if his colleagues in other state were recommending that he pursue one.

COMMISSIONER CRUM said the official language from FNS says either a state disaster declaration or public health emergency is necessary. The latter is not available because Alaska statute does not allow a public health emergency outside a disaster declaration. He reminded the committee that former Governor Walker had to issue a disaster declaration for a public health emergency to distribute NARCAN kits for opioid addiction.

COMMISSIONER CRUM highlighted the most recent research from the National Governors Association indicates that every state but Michigan has either a statewide public health emergency or disaster declaration in place.

CHAIR COSTELLO read the first two sentences of the emergency procurement statute:

AS 36.30.310. Emergency Procurements.

Procurements may be made under emergency conditions as defined in regulations adopted by the commissioner when there exists a threat to public health, welfare, or safety, when a situation exists that makes a procurement through competitive sealed bidding or competitive sealed proposals impracticable or contrary to the public interest, or to protect public or private property. An emergency procurement need not be made through competitive sealed bidding or competitive sealed proposals but shall be made with competition that is practicable under the circumstances.

She asked the Department of Law to clarify whether or not the statute relates only to the Department of Administration. She observed that, unlike other states, the commissioner in Alaska does not appear to have the authority to declare a public health emergency. This has led to the current environment where certain things are allowed, such as teachers not having to pass competency tests. She noted that the bill packets contain pages and pages of administrative orders that the administration has put aside to address COVID-19.

[2:32:05 PM](#)

SENATOR GRAY-JACKSON asked if the \$8 million in EA funds the state will lose is part of the \$23 million in SNAP funds.

COMMISSIONER CRUM answered yes; the typical SNAP benefit is \$15 million per month and the \$8 million is the additional monthly emergency assistance.

[2:32:45 PM](#)

SENATOR STEVENS said it is a big deal to lose \$8 million per month to help people living in poverty access food. He added that because there are so many unanswered questions, it makes sense to do a 30-day extension of the emergency disaster declaration.

CHAIR COSTELLO said she supports SNAP funding and the commissioner said that the state would receive the \$8 million in EU funds through February. He also said that to continue the EU funding, the DHSS commissioner would need the authority through legislation to declare a public health emergency.

CHAIR COSTELLO said she thought there was a compelling reason to pursue a narrowly focused public health emergency declaration but it would be necessary to look at the emergency procurement and other emergency powers that the administration has.

CHAIR COSTELLO said she did not believe that things like charitable gaming, dog mushing, and online raffles rise to the level of a disaster declaration but other sections of the bill have sufficient merit that separate legislation has been introduced to address those issues. These include SB 24 relating to online shareholder meetings, SB 78 relating to telemedicine, and SB 77 relating to charitable gaming. She said it makes sense to look at the statutes and the issues that have come up during the pandemic and change the laws to be more COVID aware.

[2:37:35 PM](#)

SENATOR HOLLAND asked Commissioner Crum if it was realistic to think the state could be in the recovery phase of the pandemic in 30 days from February 15, and if an emergency disaster declaration would be required for the recovery phase.

COMMISSIONER CRUM responded by emphasizing the importance of the authority for emergency procurement and the ability to allocate scarce resources such as therapies and the vaccine. He said the state can receive the vaccine but he raised a question about the ability to distribute the scarce resource in an organized manner without the ability afforded under AS 26.23. He said the state anticipates larger allocations in the next three months. The goal is to make sure that vaccine is widely available, distributed, and waiting for Alaskans who want to take it.

[2:40:11 PM](#)

At ease

[2:42:35 PM](#)

CHAIR COSTELLO reconvened the meeting and opened public testimony on SB 56.

[2:43:21 PM](#)

KATIE BOTZ, representing self, Juneau, Alaska, asked legislators to kill SB 56 and introduce a bill that puts people ahead of

organizations and government. She requested legislative help to stop the unconstitutional municipal mandates so things can get back to normal.

2:46:15 PM

ADAM HYKEF, representing self, Homer, Alaska, agreed with the previous testimony that local businesses take their lead from the state and that city councils are using the disaster declaration to justify the mandates they impose. He shared his firm belief that the state was no longer in an emergency situation because treatments and vaccines are available. Nevertheless, Alaskans are waiting for a green light from government to return to normal life. He said he opposes SB 56 but if it passes, he would like legislators to work to amend existing statutes in the next 30 days and make the declaration obsolete.

2:48:37 PM

VALERIE MCKAY, representing self, Anchorage, Alaska, said she agrees with the previous testimony that the municipalities are taking their lead from the state. She shared that when she called, she intended to testify against the bill but now she was speaking in favor of SB 56 to help her family and other people who would benefit from speedy distribution and administration of the vaccine as well as from the SNAP food assistance program.

2:50:28 PM

JILL MCLEOD, attorney representing self, Anchorage, Alaska, said she was calling specifically to comment on Section 8 of the bill relating to the suspension of the Alaska Corporations Code to allow virtual meetings by remote communications. She related that when the pandemic struck, several clients reached out with concerns about how to conduct annual shareholder meetings because Alaska law requires corporations to hold an annual, in-person shareholder meeting in a location provided in the corporation bylaws.

She said it appears that Section 8 of SB 56 continues the temporary suspension of the requirements of the corporations code to allow remote shareholder meetings. She emphasized that continuing this suspension was extremely important until there was a permanent legislative fix. She pointed out that many corporations have meetings next month and a handful plan to hold their meetings throughout the remainder of the year. Without certainty about the ability to hold shareholder meetings remotely, it will be extremely difficult to plan for and notice those meetings. She urged the committee to consider allowing a

longer time prior to the repeal or a change in language to reflect that the repeal of Section 8 would occur either on the later of the given date or the repeal of the emergency declaration.

[2:54:26 PM](#)

BONNIE PASKVAN, attorney representing self, Anchorage, Alaska, echoed Ms. McLeod's testimony on SB 56.

THOR VUE advised that he was available to answer questions about emergency procurement.

[2:55:26 PM](#)

EDWARD D. MARTIN JR., representing self, Cooper Landing, Alaska, directed attention to material he submitted regarding a US district court case in Pennsylvania. He said emergency powers have been tested in the federal courts and he wishes somebody in Alaska would bring a similar lawsuit against Governor Dunleavy. He pointed out that the governor has extended emergency powers beyond his power, thus violating his oath, Alaska law, and the legislature. He suggested the legislature set the bill aside and introduce new legislation to deal with the current situation. He read the conclusion in the Pennsylvania case to support his argument.

[2:58:14 PM](#)

VIKKI JO KENNEDY, representing self, Juneau, Alaska, said she sees the largest deaths in the governor's emergency extensions have been to small businesses and Alaskan's mental health and freedoms.

[3:00:56 PM](#)

HERMAN MORGAN, representing self, Rural Alaska, said he agrees with previous testimony and urges the committee to vote no on SB 56. He urged less focus on receiving federal disaster money and greater focus on people losing their jobs and children not going to school. He also shared his personal views on the dangers of vaccines.

[3:04:41 PM](#)

ALLEN TODD, General Counsel, Doyon, Limited, Fairbanks, Alaska, stated that it is a significant problem for Doyon, Limited that their March 19, 2021 online shareholder meeting falls four days after the expiration of the public health emergency disaster declaration. This potentially creates a problem for shareholders to meet in person when there is an ongoing pandemic.

MR. TODD summarized that the suspension under Section 8 is appropriate, but the expiration date in Section 15 is a problem.

3:06:27 PM

CHAIR COSTELLO advised that Senator David Wilson had introduced SB 24 relating to online shareholder meetings. She said she would have her aide reach out with information on the bill so he could follow it and urge its passage.

3:07:08 PM

MIKE COONS, Matsu Chapter, Association of Mature. American/Alaskan Citizens (AMAC) Action, Eagle River, Alaska, said he agrees with the bill action in the previous committee and about emergency procurement. He said his main concern is to ensure that seniors in the state are taken care of now and until everyone in the state has the opportunity to receive a vaccination.

CHAIR COSTELLO said her office has repeatedly impressed on the administration the importance of having vaccine for those who want to be vaccinated. She shared that her office, at 269-0117, has helped seniors through the process to get vaccine. She advised that a continuing question has been about the need for this bill to receive the vaccine and money from the federal government. She said that focus is much narrower than the bill. She highlighted SB 24, SB 77, and SB 78 that more thoroughly address some of the provisions in SB 56 that may be ancillary to the public health crisis and distribution of the vaccine. "We want to know why the administration requires Senate Bill 56 in order to address the public health needs of Alaskans."

3:10:06 PM

CHAIR COSTELLO closed public testimony on SB 56 and encouraged anyone who was interested to submit comments in writing.

3:10:21 PM

At ease

3:15:13 PM

CHAIR COSTELLO reconvened the meeting and solicited a motion to adopt Amendment 1.

3:15:47 PM

SENATOR STEVENS moved to adopt Amendment 1, [work order 32-GS1011\B.1].

32-GS1011\B.1

AMENDMENT 1

OFFERED IN THE SENATE
TO: CSSB 56(HSS)

BY SENATOR COSTELLO

Page 5, following line 22:

Insert a new subsection to read:

"(c) Notwithstanding AS 26.23.050(b), the expenditure of state funds to cope with the effects of the declaration of a public health disaster emergency issued by the governor on January 15, 2021, as extended by sec. 2 of this Act, is limited to the appropriations and expenditure authority identified in (a) and (b) of this section."

CHAIR COSTELLO objected for discussion purposes. She asked Ms. McCall to explain the amendment and noted that the drafter was also available to answer questions.

[3:16:22 PM](#)

KATIE MCCALL, Staff, Senator Mia Costello, Alaska State Legislature, Juneau, Alaska, stated that Amendment 1 limits appropriations and expenditures. She deferred to Mr. Dunmire to provide a more detailed description.

CHAIR COSTELLO asked Mr. Dunmire to explain the rationale for Amendment 1.

[3:17:23 PM](#)

ANDREW DUNMIRE, Drafting Attorney, Legislative Legal Services, Legislative Affairs Agency, Juneau, Alaska, explained that the amendment inserts language into SB 56 from Senate Bill 241 that essentially overrides AS 26.23.050. It makes it clear that the governor may only appropriate funds that are in SB 56.

CHAIR COSTELLO informed Senator Holland that the legislature addressed the governor's emergency declaration last session through Senate Bill 241. She said she offered the amendment because the language in Senate Bill 241 was tighter and gave the legislative branch more oversight.

CHAIR COSTELLO asked the Commissioner Crum to comment on the amendment.

[3:19:13 PM](#)

COMMISSIONER CRUM said Amendment 1 matches the language that was in Senate Bill 241 and it follows that intent. Responding to a question from the chair, he confirmed that he supported Amendment 1.

[3:19:38 PM](#)

CHAIR COSTELLO removed her objection; finding no further objection, Amendment 1 was adopted.

[3:19:49 PM](#)

CHAIR COSTELLO solicited a motion for Amendment 2.

[3:20:03 PM](#)

SENATOR STEVENS moved to adopt Amendment 2, [work order 32-GS1011\B.2].

32-GS1011\B.2
Dunmire
2/10/21

AMENDMENT 2

OFFERED IN THE SENATE
TO: CSSB 56 (HSS)

BY SENATOR COSTELLO

Page 2, line 1, through page 3, line 23:

Delete all material and insert:

"FINDINGS. (a) The legislature finds that

(1) on March 11, 2020, the governor issued a declaration of a public health disaster emergency under AS 26.23.020 in anticipation of the spread of COVID-19 to the state and has since issued multiple new disaster declarations for the COVID-19 outbreak;

(2) since the initial outbreak through the present day, the outbreak of COVID-19 has resulted in serious consequences for residents of the state and the state's economy;

(3) many communities in the state, including the state's largest city of Anchorage and the capital city of Juneau, have seen fit to impose

lockdown or hunker-down orders, which have severely reduced economic activity in those communities;

(4) lockdown orders and other pandemic-related factors have forced numerous state businesses to close their doors and lay off employees or reduce service levels and employee hours far below what would otherwise have been provided, to the detriment of both those businesses and their hard-working employees;

(5) interstate and intrastate travel restrictions of varying levels of restrictiveness, while intended to contain the spread of COVID-19, have resulted in further reduction of economic activities in the state;

(6) the state has established and facilitated multiple programs to provide economic assistance to struggling state residents and businesses, but the programs, while providing much-needed relief, generally fall short of fully replacing regular levels of voluntary economic activity;

(7) as a result of voluntary and government-imposed reductions of economic activity,

(A) the state lost 29,000 jobs between October 2020 and October 2021;

(B) many businesses in the state have temporarily or permanently closed;

(C) at least 45,000 students in the Anchorage School District have been denied in-person education for a significant period during the pandemic;

(8) the shift from in-person learning to distance learning has negatively affected students in the state in terms of the students' learning progression and emotional and social development;

(9) the shift from in-person learning to distance learning has been associated with increased instances of child abuse and food insecurity;

(10) multiple vaccines for COVID-19 have been developed and are currently being distributed, allowing the state to move into a new phase of its COVID-19 recovery efforts;

(11) due in part to the state's robust COVID-19 response efforts, the state currently has the third-lowest COVID-19 fatality rate in the United States; and

(12) because of the diligent efforts of the state, Alaska has the highest vaccination rate of all 50 states."

Page 3, lines 25 - 27:

Delete "extend the public health disaster emergency declaration issued by the governor on January 15, 2021, and all the powers granted under AS 18.15.390 and AS 26.23.020 to March 15, 2021"

Insert "(1) take appropriate steps to continue to contain the spread of COVID-19 and to distribute COVID-19 vaccines statewide with the utmost diligence and dispatch;

(2) take appropriate steps to limit further harm to the state's economy, to enable displaced workers in the state to return to work, and to allow students in the state to rejoin in-person classes with their peers; and

(3) extend the public health disaster emergency declaration issued by the governor on January 15, 2021, and all the powers granted under AS 18.15.390 and AS 26.23.020, to March 15, 2021"

[3:20:23 PM](#)

SENATOR STEVENS moved to amend Amendment 2.

On page 2, line 2,

Delete October 2020 and October 2021

Insert October 2019 and October 2020.

CHAIR COSTELLO found no objection and Amendment 1 to Amendment 2 was adopted.

[3:21:01 PM](#)

MS. MCCALL read Amendment 2, as amended, into the record.

[3:25:13 PM](#)

CHAIR COSTELLO removed her objection to Amendment 2, as amended; finding no further objection, Amendment 2, as amended, was adopted.

[3:25:34 PM](#)

At ease

[3:25:46 PM](#)

CHAIR COSTELLO reconvened the meeting and solicited a motion.

[3:25:52 PM](#)

SENATOR STEVENS moved to report SB 56 from committee with individual recommendations and attached fiscal note(s).

CHAIR COSTELLO found no objection.

[3:26:22 PM](#)

At ease

[3:27:02 PM](#)

CHAIR COSTELLO reconvened the meeting and asked Senator Stevens to restate the previous motion.

[3:27:07 PM](#)

SENATOR STEVENS move to report SB 56, as amended, from committee with individual recommendations and attached fiscal note.

CHAIR COSTELLO found no objection and CSSB 56(L&C) was reported from the Senate Labor and Commerce Standing Committee

[3:27:29 PM](#)

At ease

[3:28:32 PM](#)

CHAIR COSTELLO reconvened the meeting. She thanked the members and said the committee made the point that some provisions in SB 56 could be better addressed in stand-alone legislation. The bills that were mentioned earlier will make the statutes more COVID aware as Alaskan's return to living their lives as they see fit.

[3:29:51 PM](#)

There being no further business to come before the committee, Chair Costello adjourned the Senate Labor and Commerce Standing Committee meeting at 3:29 p.m.